

# **CITY COUNCIL OF THE CITY OF HOLLISTER**

## **SPECIAL MEETING**

### **AGENDA**

May 26, 2015

City Hall – 375 Fifth Street – Hollister, CA 95023

5:00 pm

#### **Call to Order**

#### **Pledge of Allegiance**

**Roll Call:** Mayor Ignacio Velazquez, City Council Members Karson Klauer, Victor Gomez, Raymond Friend, and Mickie Solorio Luna, City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and Interim City Clerk Christine Black.

#### **Verification of Agenda Posting**

#### **A. CONSENT RESOLUTION (May 26, 2015):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

**Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14, A15 and A16.**

A1. Minutes of the Regular City Council meeting of May 4, 2015 and Special City Council meeting of May 11, 2015. #1

Approve Minutes of the Regular City Council meeting of May 4, 2015 and Special City Council meeting of May 11, 2015.

A2. Warrant Registers. #2

The City Council will ratify and approve the following Warrant Registers for the General-Special-Enterprise-Assessment Funds dated:

• April 22, 2015, in the amount of	\$ 544,406.82
• April 24, 2015, in the amount of	\$ 218,282.77
• April 24, 2015, in the amount of	\$ 210,581.37
• April 24, 2015, in the amount of	\$ 1,019.63
• May 1, 2015, in the amount of	\$ 4,576,168.43
• May 7, 2015, in the amount of	\$ 556,595.45

A3. Claim Against the City – Gonzalez.

#3

A claim against the City has been filed by Sabas Gonzalez, Jr. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

A4. Resolution No. 2015-88, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR PORTIONS OF SAN BENITO STREET AND FIFTH STREET FOR NATIONAL NIGHT OUT.

#4

This Resolution will approve the temporary closures of San Benito and Fifth Street for National Night out to be held on August 4, 2015.

A5. Resolution No. 2015-89, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE 29TH ANNUAL STREET FESTIVAL AND CAR SHOW.

#5

This Resolution will approve the temporary closure of various streets for the 29th Annual Street Festival and Car Show to be held on July 18, 2015.

A6. Resolution No. 2015-90, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL 4TH OF JULY KIDDIE PARADE.

#6

This Resolution will approve the temporary closure of various streets for the Annual 4th of July Kiddie Parade to be held on July 4, 2015.

A7. Resolution No. 2015-91, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY CLOSURE OF A PORTION OF SEVENTH STREET FOR A CONCERT/CAPITOL KINGS.

#7

This Resolution will approve the temporary closure of a portion of Seventh Street for a Concert/Capitol Kings to be held on July 25, 2015.

A8. Resolution No. 2015-92, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL HORSE SHOW PARADE; and

#8

Resolution No. 2015-93, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A TEMPORARY STREET OF SEVENTH STREET.

These Resolutions will authorize temporary street closures of various streets for the Annual Horse Show Parade and San Benito County Chamber of Commerce Block Party to be held on June 25, 2015.

- A9. Resolution No. 2015-94, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE DISPOSAL OF OLD, NON-REPAIRABLE, RUSTED, FIRE DAMAGED, AND OBSOLETE INDUSTRIAL AND OFFICE EQUIPMENT. #9
- This Resolution will authorize the disposal of non-repairable, obsolete industrial and office equipment through recycling or refuse collection.
- A10. Resolution No. 2015-95, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$190,000 FOR THE PURCHASE OF A 4000 GALLON WATER TRUCK. #10
- This Resolution will approve a 4000 gallon water truck from Commercial Truck in Salinas under the State of California bid contract.
- A11. Resolution No. 2015-96, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING STAFF TO ACCEPT BID PROPOSALS FOR THE RUNWAY 13-31 PHASE 2 RECONSTRUCTION –FAA 17. #11
- This Resolution will approve the plans and specifications and allow staff to accept bid proposals for the Runway 13-31 Phase 2 reconstruction.
- A12. Resolution No. 2015-97, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING BID PROPOSALS AND AUTHORIZING EXECUTION OF THE CONTRACT WITH WATTIS CONSTRUCTION CO., INC. FOR THE ROADWAY REHABILITATION 2014/2015, CIP NO. C1409. #12
- This Resolution will accept proposals opened on May 5, 2015 and award the contract to the lowest, responsive bidder Wattis Construction Co., Inc. of San Jose, CA for Roadway Rehabilitation 2014/2015, CIP C1409 in the amount of \$495,000.00.
- A13. Resolution No. 2015-98, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF CITY OF AN AGREEMENT WITH THE SAN BENITO HIGH SCHOOL DISTRICT FOR USE OF SAN BENITO HIGH SCHOOL AQUATICS FACILITY. #13
- This Resolution will authorize the execution of an agreement with San Benito High School for the Recreation Division's use of the Aquatics Facility for the purpose of conducting the 2015 summer aquatics program.

- A14. Resolution No. 2015-99, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR ACTIVE TRANSPORTATION PROGRAM FUNDING TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION IN WEST HOLLISTER. #14

This Resolution will authorize applications for Active Transportation Funding for safe routes to school infrastructure, bicycle and pedestrian improvements.

- A15. Resolution No. 2015-100, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AWARDING BID AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH NEW SV MEDIA, INC. dba THE HOLLISTER FREELANCE FOR LEGAL PUBLICATION SERVICES. #15

This Resolution will authorize execution of the agreement between the City of Hollister and New SV Media, Inc. dba The Hollister Freelance for publication Services.

- A16. Resolution No. 2015-101, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER FOR PUBLIC SAFETY-FIRE EMPLOYER PAID MEMBER CONTRIBUTION. #16

This Resolution will satisfy the CalPERS requirement to establish governing boards' approval for the authority to change member contributions.

**B. CITY OF HOLLISTER AS THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY:**

None.

**C. PUBLIC INPUT:**

**1. PUBLIC INPUT.**

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and city for the record, and speak to the City Council. Each speaker will be limited to three (3) minutes. Please note that state law prohibits the City Council from discussing or taking action on any item not on the agenda.

**D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

**1. City Manager's oral report.**

The City Manager will give an oral report regarding activities and/or any public comments or presentations.

**E. PUBLIC HEARINGS (On or After 5:15 p.m.)**

1. Read by Title Only, Waive Full Reading, and Introduce Ordinance No.1116, AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING CHAPTER 17.24.250 PREZONING OF SPECIFICALLY DESCRIBED REAL PROPERTY TO MEDIUM DENSITY RESIDENTIAL PERFORMANCE OVERLAY ZONE – JOHN IVANCOVICH (APN 019-250-004). #17

**Open Public Hearing.**  
**Conduct Public Hearing.**  
**Close Public Hearing.**

This Ordinance will prezone 1 acre for future annexation in the R3-M/PZ medium density residential performance overlay zoning district.

2. Read by Title Only, Waive Full Reading, and Introduce Ordinance No. 1117, AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING CHAPTER 17.24.250 PREZONING OF SPECIFICALLY DESCRIBED REAL PROPERTY TO LOW DENSITY RESIDENTIAL PERFORMANCE OVERLAY ZONE - KUTZ FAMILY TRUST, DEL CURTO, BRIGANTINO ENTERPRISES, MERMOD (APN 010-120-141, 020-120-142, 020-120-143, 020-120-114, 020-120-144, AND 020-120-145) #18

**Open Public Hearing.**  
**Conduct Public Hearing.**  
**Close Public Hearing.**

This Ordinance will prezone 19.89 acres of land into the low density residential performance overlay zoning district for future annexation into the corporate limits of Hollister.

3. Resolution No. 2015-102, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROPOSED BOUNDARY FOR THE ANNEXATION OF TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 4 (PUBLIC FACILITIES SERVICES). #19

**Open Public Hearing.**  
**Conduct Public Hearing.**  
**Close Public Hearing.**

This Resolution will confirm and order the levy and collection of annual assessment of Annexing Tuscan Sun sub division to the City's Community Facility District No. 4.

4. Resolution No. 2015-103, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DECLARING THE CONDITION OF CERTAIN PROPERTIES TO CONSTITUTE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF WEEDS THEREON, AND CONDUCTING A HEARING FOR THE RECEIPT OF OBJECTION TO THE PROPOSED ABATEMENT. #20

**Open Public Hearing.**  
**Conduct Public Hearing.**  
**Close Public Hearing.**

This Resolution will declare the condition of certain properties to constitute a public nuisance and orders the abatement of weeds thereon; and conducts a hearing for the receipt of objection to the proposed abatement.

**F. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2015-104, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER SUPPORTING THE WATER RESOURCE AGENCY'S (WRA) REQUEST TO EXPAND THE TURF REMOVAL PROGRAM. #21

This Resolution will support the Water Resource Association of San Benito County (WRA) request to expand the square footage and funding for turf removal from \$500 to \$1000.

**G. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Council of Governments Polling Results #22  
Receive report from Council of Governments Executive Director Mary Gilbert on a potential sales tax initiative for road projects and the related polling results.
2. Report on status of the 2013 Community Development Block Grant Award. #23  
Receive an oral report on the status of the 2013 Community Development Block Grant Award from Program Manager Perales.
3. Reports from City Council Members regarding Committees on which they serve.  
Receive oral reports from members regarding the activities of various Ad Hoc and Standing City Council Committees.
4. Informational Reports from City Council, City Manager, City Attorney, and Staff.  
Receive informational oral reports from the City Council, City Manager Avera, City Attorney, Chief of Police Westrick, City Clerk Johnson, and other Staff as applicable.

**H. UNFINISHED BUSINESS:**

None.

**I. NEW BUSINESS:**

None.

**J. MISCELLANEOUS:**

None.

**K. CITY OF HOLLISTER AS THE SUCCESSOR HOUSING AGENCY OF THE REDEVELOPMENT AGENCY:**

None.

**CLOSED SESSION: (On or After 5:30 p.m.)**

- A. Public comment (limited to any item listed on the Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss the following matters:
  - 1. Conference with Legal Counsel – Pending Litigation -Pursuant to Government Code Section 54956.9 (a) :  
  
BMC Promise Way, LLC. DbA Benchmark Communities v. County of San Benito; City of Hollister; Court Case No. CU-15-00056.
  - 2. Conference with Labor Negotiator pursuant to Government Code Section 54957.6  
  
Agency Designated Representatives: Brett Miller and Linzie Daniels  
Employee Organization: Service Employees International Union, Local 817
  - 3. Threat to Public Services or Facilities pursuant to Government Code Section 54957: Consultation with the City of Hollister Police & Fire Department Officials.

**Reconvene**

**Closed Session:** Report Out

**ADJOURNMENT:**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4300, extension 16. Notification of 48 hours prior to the meeting will enable the City to attempt to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*

*Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at City Hall, 375 Fifth Street, Hollister, Monday through Friday, 8:00 a.m. to noon, 1:00 p.m. to 5:00 p.m. (City Hall is closed between 12:00 and 1:00 p.m.)*

*Such documents may also be available on the City of Hollister website at [www.hollister.ca.gov](http://www.hollister.ca.gov) subject to staff's ability to post the documents before the meeting.*

Notice to anyone attending any public meeting: The meeting may be broadcast live on Cable Channel 17 and/or videotaped or photographed. Recent City Council meetings may also be viewed at <http://vp.telvue.com/player?id=T01268&video=10250> and periodically on Cable Channel 17.

Next City Council Meetings scheduled for:

- Regular City Council meeting – Monday, June 1, 2015, at 6:30 p.m.
- Regular City Council meeting – Monday, June 15, 2015, at 6:30 p.m.
- Regular City Council meeting – Monday, July 20, 2015, at 6:30 p.m.
- Regular City Council meeting – Monday, August 3, 2015, at 6:30 p.m.